



McDonnell Boenhen Hulbert & Berghoff LLP

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Fax transmittal

To Commissioner for Patents/ OIPE
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Phone
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Pages, 11
with cover
Re

Date March 16, 2005
From Michael S. Greenfield
Direct 312 913 0001
Email emartin@mbhb.com
C/M

300 South Wacker Drive
Chicago, Illinois 60606-6709
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RECEIVED
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MAR 16 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 03-465-A (400.136))

In re Application of:

McSwiggen et al.

Serial No.: 10/693,059

Filed: October 23, 2003

For: RNA Interference Mediated Inhibition of Gene
Expression Using Chemically Modified Nucleic

Examiner: TBA

Group Art Unit: 1645

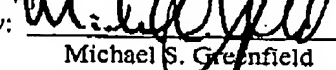
Confirmation No. 1557

TRANSMITTAL LETTERCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In regard to the above identified application,

1. We are transmitting herewith the attached:
 - a) Request for Correct of Filing Receipt
 - b) Copy of Filing Receipt with Corrections
 - c) Copy of Decision on Petition under 37 CFR 1.10
 - d) Return Postcard evidencing receipt of items stated herewith
2. With respect to fees:
 - a) It is believed no fee is due at this time.
3. GENERAL AUTHORIZATION: Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
4. CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being sent via facsimile to (703) 872,9306, Office of Initial Patent Examination (OIPE), Commissioner for Patents, Alexandria, Virginia 22313-1450 on March 16 2005.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff LLPBy: 
Michael S. Greenfield
Registration No. 37,142Date: March 16 2005

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MAR 16 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Case No. 03-465-A (400.136))

In re Application of:

McSwiggen, et al.

Serial No.: 10/693,059

Filed: October 23, 2003

For: RNA Interference Mediated Inhibition of
Gene Expression Using Chemically
Modified Short Interfering Nucleic Acid
(siNA)

Group Art Unit: 1645

Examiner: Not Assigned

Confirmation No.: 1557

REQUEST FOR CORRECTED FILING RECEIPTMail Stop: OIPE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450Attention: Application Processing Division
Customer Correction Branch

Dear Sir:

1. Attached is a copy of the official filing receipt received from the PTO in the above-referenced application for which issuance of a corrected filing receipt is respectfully requested.
2. There is an error with respect to the following data, which is incorrectly entered.

Error in

Domestic Priority data as claimed by applicant:

This application is a CIP of 10/444,853 05/23/2003

and is a CIP of 10/652,791 08/29/2003

which is a CON of 10/422,704 04/24/2003 ABN

which is a CON of 10/417,012 04/16/2003 ABN

McDonnell Boehnen Hulbert & Berghoff LLP
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USSN 10/693,059
MBHB 03-465-A (400.136)

This application 10/693,059 10/23/2003
is a CIP of PCT/US03/05346 02/20/2003
and is a CIP of PCT/US03/05028 02/20/2003
which claims benefit of 358,580 02/20/2002
and claims benefit of 60/363,124 03/11/2002
and claims benefit of 60/386,782 06/06/2002
and claims benefit of 60/406,784 08/29/2002
and claims benefit of 60/408,378 09/05/2002
and claims benefit of 60/409,293 09/09/2002
and claims benefit of 60/440,129 01/15/2003

This application 10/693,059 10/23/2003
is a CIP of 10/427,160 04/30/2003
and is a CIP of PCT/US02/15876 05/20/2002*

(*) Data provided by applicant is not consistent with PTO records.

Correct Data:

Domestic Priority data as claimed by applicant:

This application is a CIP of 10/444,853 05/23/2003
and is a CIP of 10/652,791 08/29/2003
which is a CON of 10/422,704 04/24/2003 ABN
which is a CON of 10/417,012 04/16/2003 ABN

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and said 10/693,059 10/23/2003
is a CIP of 10/427,160 04/30/2003
and is a CIP of PCT/US02/15876 05/17/2002

3. Applicant attaches a copy of the Grant of Applicant's Petition to Correct the Filing Date for PCT/US02/15876. The correct filing date as indicated in the Granted Petition is now May 17, 2002. Thus, the data provided by Applicant is no longer inconsistent with PTO records.
4. The correction is not due to any error by Applicant and no fee is due.

Respectfully submitted,
McDonnell Boenhen Hulbert & Berghoff LLP

Date: March 16 2005

By: 
Michael S. Greenfield
Reg. No.: 37,142


UNITED STATES PATENT AND TRADEMARK OFFICE

 UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 150
 Alexandria, Virginia 22313-1450
 www.uspto.gov

MAR 16 2005

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FILE FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/693,059	10/23/2003	1645	385	MBHB03-465-A (400/136)	84	17	1

020306

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 300 S. WACKER DRIVE
 32ND FLOOR
 CHICAGO, IL 60606

CONFIRMATION NO. 1557

CORRECTED FILING RECEIPT

OC000000013953809

Date Mailed: 10/01/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

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 Bharat M. Chowrira, Louisville, CO;
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 Tongqian Chen, Longmont, CO;
 Narendra Vaish, Denver, CO;

 [Signature]
 [Stamp]

Assignment For Published Patent Application

Sima Therapeutics, Inc.

Power of Attorney: The patent practitioners associated with Customer Number 020306.

Domestic Priority data as claimed by applicant

 This application is a CIP of 10/444,853 05/23/2003
 and is a CIP of 10/652,791 08/29/2003

which is a CON of 10/422,704 04/24/2003 ABN
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~~(*) Data provided by applicant is not consistent with PTO records.~~ 05/17/2002

Foreign Applications

If Required, Foreign Filing License Granted: 01/22/2004

The number of your priority application, to be used for filing abroad under the Paris Convention is,
US10/693,059

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

RNA interference mediated inhibition of gene expression using chemically modified short interfering nucleic acid (siNA)

Preliminary Class

435

LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).